

I certify that the attached is a true and  
correct copy of HJR 40 which  
was filed of record on JAN 23 1989  
and referred to the committee on:  
State Affairs  
Betty Murray  
Chief Clerk of the House

Danburg

By Danburg

FILED JAN 23 1989

H.J.R. No. 40

A JOINT RESOLUTION

proposing a constitutional amendment relating to the oath of office  
prescribed for members of the legislature.

BE IT RESOLVED, BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article XVI, Section 1, of the Texas Constitution  
is amended to read as follows:

Sec. 1. (a) Members of the Legislature, [~~and--all--other~~  
~~elected--officers;~~] before entering [~~they-enter~~] upon the duties of  
their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
will faithfully execute the duties of the office of  
\_\_\_\_\_ of the State of Texas, and will to the best of my  
ability preserve, protect, and defend the Constitution and laws of  
the United States and of this State, so help me God."

(b) Each member of the Legislature, before taking the Oath  
of office prescribed by this section and entering upon the duties  
of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
not directly or indirectly paid, offered, promised to pay,  
contributed, or promised to contribute any money or thing of value,  
or promised any public office or employment for the giving or  
withholding of a vote at the election at which I was elected."

(c) A member of the Legislature shall file the signed  
statement required by Subsection (b) of this section with the  
Secretary of State before taking the Oath of office prescribed by

1 this section.

2 (d) All elected officers, other than members of the  
3 Legislature, before entering upon the duties of their offices,  
4 shall take the following Oath or Affirmation:

5 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
6 will faithfully execute the duties of the office of  
7 \_\_\_\_\_ of the State of Texas, and will to the best of my  
8 ability preserve, protect, and defend the Constitution and laws of  
9 the United States and of this State; and I furthermore solemnly  
10 swear (or affirm), that I have not directly nor indirectly paid,  
11 offered, or promised to pay, contributed, nor promised to  
12 contribute any money, or valuable thing, or promised any public  
13 office or employment, as a reward for the giving or withholding a  
14 vote at the election at which I was elected. So help me God."

15 (e) The Secretary of State, and all other appointed  
16 officers, before entering [they-enter] upon the duties of their  
17 offices, shall take the following Oath or Affirmation:

18 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
19 faithfully execute the duties of the office of \_\_\_\_\_ of the  
20 State of Texas, and will to the best of my ability preserve,  
21 protect, and defend the Constitution and laws of the United States  
22 and of this State; and I furthermore solemnly swear (or affirm),  
23 that I have not directly nor indirectly paid, offered, or promised  
24 to pay, contributed, nor promised to contribute any money, or  
25 valuable thing, or promised any public office or employment, as a  
26 reward to secure my appointment or the confirmation thereof. So  
27 help me God."

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held November 7, 1989.  
3 The ballot shall be printed to provide for voting for or against  
4 the proposition: "The constitutional amendment to require that a  
5 member of the legislature, before assuming office, sign a written  
6 oath stating that the member did not engage in bribery to obtain  
7 the office."

# HOUSE COMMITTEE REPORT

1st Printing

83 APR 19 PM 6:06  
HOUSE OF REPRESENTATIVES

By Danburg

H.J.R. No. 40

## A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the oath of office  
2 prescribed for members of the legislature.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article XVI, Section 1, of the Texas Constitution  
5 is amended to read as follows:

6 Sec. 1. (a) Members of the Legislature, [~~and--all--other~~  
7 ~~elected--officers,~~] before entering [~~they-enter~~] upon the duties of  
8 their offices, shall take the following Oath or Affirmation:

9 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
10 will faithfully execute the duties of the office of  
11 \_\_\_\_\_ of the State of Texas, and will to the best of my  
12 ability preserve, protect, and defend the Constitution and laws of  
13 the United States and of this State, so help me God."

14 (b) Each member of the Legislature, before taking the Oath  
15 of office prescribed by this section and entering upon the duties  
16 of office, shall subscribe to the following statement:

17 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
18 not directly or indirectly paid, offered, promised to pay,  
19 contributed, or promised to contribute any money or thing of value,  
20 or promised any public office or employment for the giving or  
21 withholding of a vote at the election at which I was elected."

22 (c) A member of the Legislature shall file the signed  
23 statement required by Subsection (b) of this section with the  
24 Secretary of State before taking the Oath of office prescribed by

1 this section.

2 (d) All elected officers, other than members of the  
3 Legislature, before entering upon the duties of their offices,  
4 shall take the following Oath or Affirmation:

5 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
6 will faithfully execute the duties of the office of  
7 \_\_\_\_\_ of the State of Texas, and will to the best of my  
8 ability preserve, protect, and defend the Constitution and laws of  
9 the United States and of this State; and I furthermore solemnly  
10 swear (or affirm), that I have not directly nor indirectly paid,  
11 offered, or promised to pay, contributed, nor promised to  
12 contribute any money, or valuable thing, or promised any public  
13 office or employment, as a reward for the giving or withholding a  
14 vote at the election at which I was elected. So help me God."

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16 officers, before entering [they-enter] upon the duties of their  
17 offices, shall take the following Oath or Affirmation:

18 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
19 faithfully execute the duties of the office of \_\_\_\_\_ of the  
20 State of Texas, and will to the best of my ability preserve,  
21 protect, and defend the Constitution and laws of the United States  
22 and of this State; and I furthermore solemnly swear (or affirm),  
23 that I have not directly nor indirectly paid, offered, or promised  
24 to pay, contributed, nor promised to contribute any money, or  
25 valuable thing, or promised any public office or employment, as a  
26 reward to secure my appointment or the confirmation thereof. So  
27 help me God."

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held November 7, 1989.  
3 The ballot shall be printed to provide for voting for or against  
4 the proposition: "The constitutional amendment to require that a  
5 member of the legislature, before assuming office, sign a written  
6 oath stating that the member did not engage in bribery to obtain  
7 the office."

# COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

4-13-89  
(date)

Sir:

We, your COMMITTEE ON STATE AFFAIRS,

to whom was referred HJR 40 have had the same under consideration and beg to report  
(measure)  
back with the recommendation that it

☒ do pass, without amendment.

☐ do pass, with amendment(s).

☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

A criminal justice policy impact statement was prepared. ☐ yes ☒ no

A water development policy impact statement was requested. ☐ yes ☒ no

☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the ☐ Local, ☐ Consent, or ☐ Resolutions Calendar.

This measure ☐ proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Laney, Ch.			<input checked="" type="checkbox"/>	
Guerrero, V.C.	<input checked="" type="checkbox"/>			
Tallas, C.B.O.	<input checked="" type="checkbox"/>			
Cain	<input checked="" type="checkbox"/>			
Gibson	<input checked="" type="checkbox"/>			
Harrison	<input checked="" type="checkbox"/>			
Hilbert	<input checked="" type="checkbox"/>			
Hury				<input checked="" type="checkbox"/>
Jones	<input checked="" type="checkbox"/>			
Oakley	<input checked="" type="checkbox"/>			
Perez				<input checked="" type="checkbox"/>
Saunders				<input checked="" type="checkbox"/>
Smith, T.				<input checked="" type="checkbox"/>

Total

8 aye

0 nay

1 present, not voting

4 absent

Gib Lewis  
CHAIRMAN

Deborah K. Wall  
COMMITTEE COORDINATOR

By

Danburg

## BILL ANALYSIS

Background Information

Currently, Article XVI, Section 1 of the Texas Constitution provides separate oaths of office for elected and appointed officers which are lengthy, and some feel, outdated. Specifically, the oaths contain a clause which stated that the officer has not bribed anyone in order to receive votes or appointment. This language is in addition to the traditional language regarding faithful execution of official duties and protection of the constitution and laws of the United States and Texas.

Purpose

To modernize and bring the oath up-to-date.

Section-by-Section Analysis

Section 1 Amends Article XVI, Section 1 of the Texas Constitution.

- (a) Members of legislature sign oath and file with Secretary of State .
- (b) All elected officers take oath before starting duties of office.
- (c) Secretary of State and other appointed officers are required to take oath before starting duties of office.

SECTION 2 This proposed constitutional amendment will be submitted to voters on November 7, 1989.

SECTION 3 Emergency Clause

Rulemaking Authority

It is the opinion of this committee that this bill does not grant any additional rulemaking authority to any state officer, agency, department, or institution.

Summary of Committee Action

On February 13, 1989 in a public hearing called in accordance with the rules of the House, the committee considered HJR40. At that time the committee left HJR 40 pending.

On April 13, 1989, in a formal meeting called in accordance with the Rules of the House, the committee voted to report HJR40 to the full House, without amendment and with the recommendation it do pass by a record vote of 8 ayes, no nays, 1 PNV and 4 members absent.



# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE February 10, 1989

TO: Honorable James E. "Pete" Laney, Chair  
Committee on State Affairs  
House of Representatives  
Austin, Texas

In Re: House Joint  
Resolution No. 40  
By: Danburg

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40 (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the legislature. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, CKM

AMENDMENT NO. ①

**ADOPTED**

MAY 10 1989

BY Patricia Hill

*Betty Murray*  
Chief Clerk  
House of Representatives

Amend H.J.R. 40 as follows:

(1) On page 1, lines 6-7, strike " [and all other elected officers] before entering [they enter]" and substitute "and all other elected officers, before they enter".

(2) On page 1, line 14, between "Legislature" and the comma, insert "and all other elected officers".

(3) On page 1, strike line 22 and substitute the following:

(c) Members of the Legislature and all other elected officers shall file the signed

(4) On page 2, strike lines 2-14 and substitute the following:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God."

✓(5) On page 2, line 15, strike "(e)" and substitute "(d)".

(6) On page 3, line 5, between "legislature" and the comma, insert "and an elected officer".

(7) On page 3, line 6, between "member" and "did", insert "or officer".

Amend. No. ②

By Mr. Williams

Amend HJR 40, 1<sup>st</sup> printing,  
page 1, line 21, by  
adding the words  
"so help me God"  
at the end of said  
line.

**ADOPTED**

*may*  
MAY 10 1989

*Betty Murray*  
Chief Clerk  
House of Representatives

# HOUSE ENGROSSMENT

89 MAY 11 AM 2:29  
HOUSE OF REPRESENTATIVES

By Danburg

H.J.R. No. 40

## A JOINT RESOLUTION

proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature and other elected officers.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article XVI, Section 1, of the Texas Constitution is amended to read as follows:

Sec. 1. (a) Members of the Legislature, and all other elected officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected officers, before taking the Oath of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

1        (c) Members of the Legislature and all other elected  
 2        officers shall file the signed statement required by Subsection (b)  
 3        of this section with the Secretary of State before taking the Oath  
 4        of office prescribed by this section.

5        ["I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
 6        will---faithfully---execute---the---duties---of---the---office---of  
 7        \_\_\_\_\_of the State of Texas, and will to the best of my  
 8        ability preserve, protect, and defend the Constitution and laws of  
 9        the--United--States--and--of--this--State, and I furthermore solemnly  
 10       swear (or affirm), that I have not directly--nor--indirectly--paid,  
 11       offered,---or---promised--to--pay,---contributed,---nor--promised--to  
 12       contribute any money, or valuable thing,---or--promised--any--public  
 13       office--or--employment, as a reward for the giving or withholding a  
 14       vote at the election at which I was elected. --So help me God." ]

15        (d) The Secretary of State, and all other appointed  
 16        officers, before entering [~~they--enter~~] upon the duties of their  
 17        offices, shall take the following Oath or Affirmation:

18        "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
 19        faithfully execute the duties of the office of \_\_\_\_\_ of the  
 20        State of Texas, and will to the best of my ability preserve,  
 21        protect, and defend the Constitution and laws of the United States  
 22        and of this State; and I furthermore solemnly swear (or affirm),  
 23        that I have not directly nor indirectly paid, offered, or promised  
 24        to pay, contributed, nor promised to contribute any money, or  
 25        valuable thing, or promised any public office or employment, as a  
 26        reward to secure my appointment or the confirmation thereof. So  
 27        help me God."

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held November 7, 1989.  
3 The ballot shall be printed to provide for voting for or against  
4 the proposition: "The constitutional amendment to require that a  
5 member of the legislature and an elected officer, before assuming  
6 office, sign a written oath stating that the member or officer did  
7 not engage in bribery to obtain the office."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

February 10, 1989

TO: Honorable James E. "Pete" Laney, Chair  
Committee on State Affairs  
House of Representatives  
Austin, Texas

In Re: House Joint  
Resolution No. 40  
By: Danburg

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40 (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the legislature. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, CKM



1 By: Danburg (Senate Sponsor - Harris) H.J.R. No. 40  
2 (In the Senate - Received from the House May 11, 1989;  
3 May 12, 1989, read first time and referred to Committee on State  
4 Affairs; May 18, 1989, reported favorably, as amended, by the  
5 following vote: Yeas 8, Nays 0; May 18, 1989, sent to printer.)

6 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
7 Montford	x			
8 Henderson	x			
9 Armbrister	x			
10 Caperton				x
11 Edwards	x			
12 Glasgow				x
13 Green	x			
14 Harris	x			
15 Leedom	x			
16 Lyon	x			
17 McFarland				x
18 Parmer				x
19 Washington				x

21 COMMITTEE AMENDMENT NO. 1

By: Henderson

- 22 (1) Amend HJR 40 page 1 line 37 after the word "elected" by  
23 adding the words "or appointed."  
24 (2) Amend HJR 40 page 1 line 44 after the word "elected"  
25 by adding the words "or appointed."  
26 (3) Amend HJR 40 page 1 line 54 after the word "elected" by  
27 adding the words "or appointed."  
28 (4) Amend HJR 40 page 2 by deleting lines 4 through 16 .

29 A JOINT RESOLUTION

30 proposing a constitutional amendment relating to the oath of office  
31 prescribed for members of the legislature and other elected  
32 officers.

33 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

34 SECTION 1. Article XVI, Section 1, of the Texas Constitution  
35 is amended to read as follows:

36 Sec. 1. (a) Members of the Legislature, and all other  
37 elected officers, before they enter upon the duties of their  
38 offices, shall take the following Oath or Affirmation:

39 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
40 will faithfully execute the duties of the office of  
41 \_\_\_\_\_ of the State of Texas, and will to the best of my  
42 ability preserve, protect, and defend the Constitution and laws of  
43 the United States and of this State, so help me God."

44 (b) Each member of the Legislature and all other elected  
45 officers, before taking the Oath of office prescribed by this  
46 section and entering upon the duties of office, shall subscribe to  
47 the following statement:

48 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
49 not directly or indirectly paid, offered, promised to pay,  
50 contributed, or promised to contribute any money or thing of value,  
51 or promised any public office or employment for the giving or  
52 withholding of a vote at the election at which I was elected so  
53 help me God."

54 (c) Members of the Legislature and all other elected  
55 officers shall file the signed statement required by Subsection (b)  
56 of this section with the Secretary of State before taking the Oath  
57 of office prescribed by this section.

58 ["I,-----,do solemnly swear (or affirm),that--I  
59 will---faithfully---execute---the---duties---of---the---office---of  
60 -----of-the-State-of-Texas,--and-will-to-the-best-of-my  
61 ability--preserve,--protect,--and-defend-the-Constitution-and-laws-of  
62 the-United-States-and-of-this-State,--and--I--furthermore--solemnly  
63 swear--(or--affirm)--that-I-have-not-directly--nor-indirectly-paid,  
64 offered,--or--promised--to--pay,--contributed,--nor---promised---to

contribute--any--money;--or--valuable-thing;--or--promised-any-public  
office-or-employment;--as-a-reward-for-the-giving-or--withholding--a  
vote-at-the-election-at-which-I-was-elected---So-help-me-God-"]

(d) The Secretary of State, and all other appointed  
officers, before entering [they-enter] upon the duties of their  
offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
faithfully execute the duties of the office of \_\_\_\_\_ of the  
State of Texas, and will to the best of my ability preserve,  
protect, and defend the Constitution and laws of the United States  
and of this State; and I furthermore solemnly swear (or affirm),  
that I have not directly nor indirectly paid, offered, or promised  
to pay, contributed, nor promised to contribute any money, or  
valuable thing, or promised any public office or employment, as a  
reward to secure my appointment or the confirmation thereof. So  
help me God."

SECTION 2. This proposed constitutional amendment shall be  
submitted to the voters at an election to be held November 7, 1989.  
The ballot shall be printed to provide for voting for or against  
the proposition: "The constitutional amendment to require that a  
member of the legislature and an elected officer, before assuming  
office, sign a written oath stating that the member or officer did  
not engage in bribery to obtain the office."

\* \* \* \* \*

Austin, Texas  
May 18, 1989

Hon. William P. Hobby  
President of the Senate

Sir:

We, your Committee on State Affairs to which was referred H.J.R.  
No. 40, have had the same under consideration, and I am instructed  
to report it back to the Senate with the recommendation that it do  
pass, as amended, and be printed.

Montford, Chairman

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 16, 1989

TO: Honorable John T. Montford, Chairman  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

In Re: House Joint  
Resolution No. 40,  
as engrossed  
By: Danbury

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40, as engrossed (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature and other elected officers) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the Legislature, other elected officers, the Secretary of State and other appointed officers before they enter upon the duties of their office. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, PA

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

February 10, 1989

TO: Honorable James E. "Pete" Laney, Chair  
Committee on State Affairs  
House of Representatives  
Austin, Texas

In Re: House Joint  
Resolution No. 40  
By: Danburg

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40 (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the legislature. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, CKM

# SENATE FAVORABLY AS AMENDED COMMITTEE REPORT

Lt. Governor William P. Hobby  
President of the Senate

<sup>18</sup>  
MAY 17, 1989 - 3:37 pm  
(date)/(time)

Sir:

We, your Committee on STATE AFFAIRS to which was referred  
HJR 40 by DANBURG have on 5-17, 1989 had the same  
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass with ONE amendments, and be printed

☐ do pass as amended, and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure HARRIS

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Montford, Chairman	<input checked="" type="checkbox"/>			
Henderson, Vice Chairman	<input checked="" type="checkbox"/>			
Armbrister	<input checked="" type="checkbox"/>			
Caperton				<input checked="" type="checkbox"/>
Edwards	<input checked="" type="checkbox"/>			
Glasgow				<input checked="" type="checkbox"/>
Green	<input checked="" type="checkbox"/>			
Harris	<input checked="" type="checkbox"/>			
Leedom	<input checked="" type="checkbox"/>			
Lyon	<input checked="" type="checkbox"/>			
McFarland				<input checked="" type="checkbox"/>
Parmer				<input checked="" type="checkbox"/>
Washington				<input checked="" type="checkbox"/>
TOTAL VOTES	8	0	0	5

Morris Kikes  
COMMITTEE CLERK

Montford  
CHAIRMAN

---

AMEND THE CAPTION TO CONFORM  
TO THE BODY OF THE BILL

**ADOPTED**

MAY 20 1989

*Henry King*  
Secretary of the Senate

Amendment No. 1

By *Handwritten Signature*

- 1) Amend HJR 40 page 1 line 8 after the word "elected" by adding the words "or appointed."
- 2) Amend HJR 40 page 1 line 15 after the word "elected" by adding the words "or appointed."
- 3) Amend HJR 40 page 2 line 1 after the word "elected" by adding the words "or appointed."
- 4) Amend HJR 40 page 2 by deleting lines 15 through 27.

**ADOPTED**

MAY 20 1989

*Handwritten Signature*  
Secretary of the Senate

# SENATE AMENDMENTS

2nd Printing

89 MAY 20 PM 6:20  
HOUSE OF REPRESENTATIVES

By Danburg

H.J.R. No. 40

## A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the oath of office  
2 prescribed for members of the legislature and other elected  
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4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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10 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
11 will faithfully execute the duties of the office of  
12 \_\_\_\_\_ of the State of Texas, and will to the best of my  
13 ability preserve, protect, and defend the Constitution and laws of  
14 the United States and of this State, so help me God."

15 (b) Each member of the Legislature and all other elected  
16 officers, before taking the Oath of office prescribed by this  
17 section and entering upon the duties of office, shall subscribe to  
18 the following statement:

19 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
20 not directly or indirectly paid, offered, promised to pay,  
21 contributed, or promised to contribute any money or thing of value,  
22 or promised any public office or employment for the giving or  
23 withholding of a vote at the election at which I was elected so  
24 help me God."



1        (c) Members of the Legislature and all other elected  
 2        officers shall file the signed statement required by Subsection (b)  
 3        of this section with the Secretary of State before taking the Oath  
 4        of office prescribed by this section.

5        ["I,-----,do solemnly swear (or affirm), that I  
 6        will---faithfully---execute---the---duties---of---the---office---of  
 7        -----of-the-State-of-Texas, and will to the best of my  
 8        ability preserve, protect, and defend the Constitution and laws of  
 9        the--United--States--and--of--this--State, and I furthermore solemnly  
 10       swear (or affirm), that I have not directly nor indirectly paid,  
 11       offered,---or---promised--to--pay,---contributed,---nor--promised--to  
 12       contribute any money, or valuable thing, or promised any public  
 13       office or employment, as a reward for the giving or withholding a  
 14       vote at the election at which I was elected.---So help me God." ]

15        (d) The Secretary of State, and all other appointed  
 16        officers, before entering [they--enter] upon the duties of their  
 17        offices, shall take the following Oath or Affirmation:

18        "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
 19        faithfully execute the duties of the office of \_\_\_\_\_ of the  
 20        State of Texas, and will to the best of my ability preserve,  
 21        protect, and defend the Constitution and laws of the United States  
 22        and of this State; and I furthermore solemnly swear (or affirm),  
 23        that I have not directly nor indirectly paid, offered, or promised  
 24        to pay, contributed, nor promised to contribute any money, or  
 25        valuable thing, or promised any public office or employment, as a  
 26        reward to secure my appointment or the confirmation thereof. So  
 27        help me God."

1           SECTION 2. This proposed constitutional amendment shall be  
2 submitted to the voters at an election to be held November 7, 1989.  
3 The ballot shall be printed to provide for voting for or against  
4 the proposition: "The constitutional amendment to require that a  
5 member of the legislature and an elected officer, before assuming  
6 office, sign a written oath stating that the member or officer did  
7 not engage in bribery to obtain the office."

Amendment No. 1

By *Herbert*

- 1) Amend HJR 40 page 1 line 8 after the word "elected" by adding the words "or appointed."
- 2) Amend HJR 40 page 1 line 15 after the word "elected" by adding the words "or appointed."
- 3) Amend HJR 40 page 2 line 1 after the word "elected" by adding the words "or appointed."
- 4) Amend HJR 40 page 2 by deleting lines 15 through 27.

**ADOPTED**

MAY 20 1989

*Boyd King*  
Secretary of the Senate

AMEND THE CAPTION TO CONFORM  
TO THE BODY OF THE BILL

**ADOPTED**

MAY 20 1989

*Henry King*  
Secretary of the Senate

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 16, 1989

TO: Honorable John T. Montford, Chairman  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

In Re: House Joint  
Resolution No. 40,  
as engrossed  
By: Danbury

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40, as engrossed (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature and other elected officers) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the Legislature, other elected officers, the Secretary of State and other appointed officers before they enter upon the duties of their office. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, PA

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

February 10, 1989

TO: Honorable James E. "Pete" Laney, Chair  
Committee on State Affairs  
House of Representatives  
Austin, Texas

In Re: House Joint  
Resolution No. 40  
By: Danbury

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 40 (proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature) this office has determined the following:

The resolution proposes a constitutional amendment which if adopted, would change the oath of office prescribed for members of the legislature. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

No fiscal implication to units of local government is anticipated.

Source: Secretary of State;  
LBB Staff: JO, JWH, AL, CKM

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 25, 1989

Date

RECEIVED  
MAY 25 PM 7:11  
CLERK OF THE HOUSE

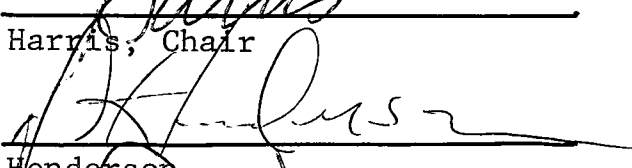
Honorable William P. Hobby  
President of the Senate


Honorable Gibson D. "Gib" Lewis  
Speaker of the House of Representatives

Sir:

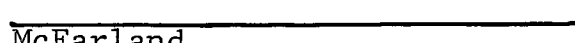
We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H.J.R. 40 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

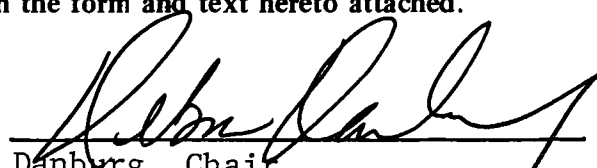
  
Harris, Chair

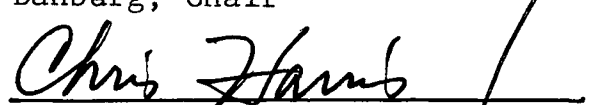
  
Henderson


  
Armbrister


  
Leedom

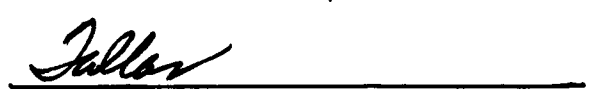
  
McFarland  
On the part of the Senate

  
Danberg, Chair

  
C. Harris

  
Guerrero


  
Gibson

  
Tallas  
On the part of the House

Paper clip one of these forms to each of the following:  
the original and two copies to the house of origin  
three copies to the other house

ADOPTED

MAY 27 1989

  
Chief Clerk  
House of Representatives

by record  
Vote 139 yeas  
2 nays 1 pny

CONFERENCE COMMITTEE REPORT

H.J.R. No. 40

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the oath of office  
2 prescribed for members of the legislature, the secretary of state,  
3 and other elected and appointed officers.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 H SECTION 1. Article XVI, Section 1, of the Texas Constitution  
6 is amended to read as follows:

7 Sec. 1. (a) Members of the Legislature, and all other  
8 elected officers, before they enter upon the duties of their  
9 offices, shall take the following Oath or Affirmation:

10 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
11 will faithfully execute the duties of the office of  
12 \_\_\_\_\_ of the State of Texas, and will to the best of my  
13 ability preserve, protect, and defend the Constitution and laws of  
14 the United States and of this State, so help me God."

15 (b) Each member of the Legislature and all other elected  
16 officers, before taking the Oath or Affirmation of office  
17 prescribed by this section and entering upon the duties of office,  
18 shall subscribe to the following statement:

19 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
20 not directly or indirectly paid, offered, promised to pay,  
21 contributed, or promised to contribute any money or thing of value,  
22 or promised any public office or employment for the giving or  
23 withholding of a vote at the election at which I was elected so  
24 help me God."



1           ["I,-----, do solemnly swear (or affirm), that I  
 2 will---faithfully---execute---the---duties---of---the---office---of  
 3 -----of the State of Texas, and will to the best of my  
 4 ability preserve, protect, and defend the Constitution and laws of  
 5 the--United--States--and--of this State, and I furthermore solemnly  
 6 swear (or affirm), that I have not directly--nor--indirectly--paid,  
 7 offered,---or---promised--to--pay,--contributed,--nor--promised--to  
 8 contribute any money, or valuable thing,--or--promised--any--public  
 9 office--or--employment, as a reward for the giving or withholding a  
 10 vote at the election at which I was elected. --So help me God." ]

11           (c) The Secretary of State, and all other appointed  
 12 officers, before entering [they--enter] upon the duties of their  
 13 offices, shall take the following Oath or Affirmation:

14           "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
 15 faithfully execute the duties of the office of \_\_\_\_\_ of the  
 16 State of Texas, and will to the best of my ability preserve,  
 17 protect, and defend the Constitution and laws of the United States  
 18 and of this State, so[;--and--I--furthermore--solemnly--swear--(or  
 19 affirm),--that I have not directly nor indirectly paid, offered, or  
 20 promised to pay, contributed, nor promised to contribute any money,  
 21 or valuable thing, or promised any public office or employment,--as  
 22 a reward to secure my appointment or the confirmation thereof. --So]  
 23 help me God."

24           (d) The Secretary of State, and all other appointed  
 25 officers, before taking the Oath or Affirmation of office  
 26 prescribed by this section and entering upon the duties of office,  
 27 shall subscribe to the following statement:

1       "I, \_\_\_\_\_, do solemnly swear (or affirm) that I  
2       have not directly or indirectly paid, offered, or promised to pay,  
3       contributed, or promised to contribute any money, or valuable  
4       thing, or promised any public office or employment, as a reward to  
5       secure my appointment or confirmation thereof, so help me God."

6       (e) Members of the Legislature and all other elected  
7       officers shall file the signed statement required by Subsection (b)  
8       of this section with the Secretary of State before taking the Oath  
9       or Affirmation of office prescribed by Subsection (a) of this  
10      section.

11      (f) The Secretary of State and all other appointed officers  
12      shall file the signed statement required by Subsection (d) of this  
13      section with the Secretary of State before taking the Oath or  
14      Affirmation of office prescribed by Subsection (c) of this section.

15      SECTION 2. This proposed constitutional amendment shall be  
16      submitted to the voters at an election to be held November 7, 1989.  
17      The ballot shall be printed to provide for voting for or against  
18      the proposition: "The constitutional amendment to require that a  
19      member of the legislature, the secretary of state, and an elected  
20      or appointed officer, before assuming office, sign a written oath  
21      stating that the member, the secretary of state, or the officer did  
22      not engage in bribery to obtain the office."

HOUSE VERSION

SENATE VERSION

CONFERENCE VERSION

SECTION 1:

(1) (a) Members of the Legislature, and all other elected officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected officers, before taking the Oath of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

(c) Members of the Legislature and all other elected officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath of office prescribed by this section.

SECTION 1:

(1) (a) Members of the Legislature, and all other elected or appointed officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected or appointed officers, before taking the Oath of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

(c) Members of the Legislature and all other elected or appointed officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath of office prescribed by this section.

Same as House

Same as House

(e) states that elected officials shall sign the statement and file it with the Sec. of State.

(f) states that appointed officers including the Sec. of State shall sign the statement and file it with the Sec. of State.

SIDE BY SIDE ANALYSIS OF H.J.R. 40

HOUSE VERSION

SENATE VERSION

CONFERENCE VERSION

(d) The Secretary of State, and all other appointed officers, before entering [~~they-enter~~] upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or the confirmation thereof. So help me God."

SECTION 2: Voter submission and ballot language.

Deleted and incorporated into (a) and (b).

SECTION 2: Same

(c) includes language on the oath of office.

(d) includes language on rewards to secure appointments or the confirmation of appointments.

Adds necessary language to reflect Senate intent.

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Date

Honorable William P. Hobby  
President of the Senate

Honorable Gibson D. "Gib" Lewis  
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on \_\_\_\_\_ have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

On the part of the Senate

On the part of the House

Paper clip one of these forms to each of the following:  
the original and two copies to the house of origin  
three copies to the other house

**ADOPTED**  
30 years on  
MAY 28 1989

*Harry King*  
Secretary of the Senate

MAY 26 1989 *Read and filed 8:00 a.m.*

CONFERENCE COMMITTEE REPORT

H.J.R. No. 40

A JOINT RESOLUTION

proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature, the secretary of state, and other elected and appointed officers.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article XVI, Section 1, of the Texas Constitution is amended to read as follows:

Sec. 1. (a) Members of the Legislature, and all other elected officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected officers, before taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

1           ["I,-----, do solemnly swear (or affirm), that I  
 2 will---faithfully---execute---the---duties---of---the---office---of  
 3 -----of the State of Texas, and will to the best of my  
 4 ability preserve, protect, and defend the Constitution and laws of  
 5 the--United--States--and--of this State, and I furthermore solemnly  
 6 swear (or affirm), that I have not directly nor indirectly paid,  
 7 offered,---or---promised--to--pay,---contributed,---nor---promised--to  
 8 contribute any money, or valuable thing,---or---promised--any--public  
 9 office--or--employment, as a reward for the giving or withholding a  
 10 vote at the election at which I was elected.---So help me God." ]

11           (c) The Secretary of State, and all other appointed  
 12 officers, before entering [they--enter] upon the duties of their  
 13 offices, shall take the following Oath or Affirmation:

14           "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
 15 faithfully execute the duties of the office of \_\_\_\_\_ of the  
 16 State of Texas, and will to the best of my ability preserve,  
 17 protect, and defend the Constitution and laws of the United States  
 18 and of this State, so[---and--I--furthermore--solemnly--swear--(or  
 19 affirm),---that I have not directly nor indirectly paid, offered, or  
 20 promised to pay, contributed, nor promised to contribute any money,  
 21 or valuable thing, or promised any public office or employment,---as  
 22 a reward to secure my appointment or the confirmation thereof.---So]  
 23 help me God."

24           (d) The Secretary of State, and all other appointed  
 25 officers, before taking the Oath or Affirmation of office  
 26 prescribed by this section and entering upon the duties of office,  
 27 shall subscribe to the following statement:

1       "I, \_\_\_\_\_, do solemnly swear (or affirm) that I  
 2       have not directly or indirectly paid, offered, or promised to pay,  
 3       contributed, or promised to contribute any money, or valuable  
 4       thing, or promised any public office or employment, as a reward to  
 5       secure my appointment or confirmation thereof, so help me God."

6       (e) Members of the Legislature and all other elected  
 7       officers shall file the signed statement required by Subsection (b)  
 8       of this section with the Secretary of State before taking the Oath  
 9       or Affirmation of office prescribed by Subsection (a) of this  
 10      section.

11      (f) The Secretary of State and all other appointed officers  
 12      shall file the signed statement required by Subsection (d) of this  
 13      section with the Secretary of State before taking the Oath or  
 14      Affirmation of office prescribed by Subsection (c) of this section.

15      SECTION 2. This proposed constitutional amendment shall be  
 16      submitted to the voters at an election to be held November 7, 1989.

~~17~~ 17      The ballot shall be printed to provide for voting for or against  
 18      the proposition: "The constitutional amendment to require that a  
 19      member of the legislature, the secretary of state, and an elected  
 20      or appointed officer, before assuming office, sign a written oath  
 21      stating that the member, the secretary of state, or the officer did  
 22      not engage in bribery to obtain the office."



HOUSE VERSION

## SECTION 1:

(1) (a) Members of the Legislature, and all other elected officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected officers, before taking the Oath of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

(c) Members of the Legislature and all other elected officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath of office prescribed by this section.

SENATE VERSION

## SECTION 1:

(1) (a) Members of the Legislature, and all other elected or appointed officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) Each member of the Legislature and all other elected or appointed officers, before taking the Oath of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected so help me God."

(c) Members of the Legislature and all other elected or appointed officers shall file the signed statement required by Subsection (b) of this section with the Secretary of State before taking the Oath of office prescribed by this section.

CONFERENCE VERSION

Same as House

Same as House

(e) states that elected officials shall sign the statement and file it with the Sec. of State.

(f) states that appointed officers including the Sec. of State shall sign the statement and file it with the Sec. of State.

HOUSE VERSION

(d) The Secretary of State, and all other appointed officers, before entering [~~they-enter~~] upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or the confirmation thereof. So help me God."

SECTION 2: Voter submission and ballot language.

SENATE VERSION

Deleted and incorporated into (a) and (b).

SECTION 2: Same

CONFERENCE VERSION

(c) includes language on the oath of office.

(d) includes language on rewards to secure appointments or the confirmation of appointments.

Adds necessary language to reflect Senate intent.

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the oath of office  
2 prescribed for members of the legislature, the secretary of state,  
3 and other elected and appointed officers.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article XVI, Section 1, of the Texas Constitution  
6 is amended to read as follows:

7 Sec. 1. (a) Members of the Legislature, and all other  
8 elected officers, before they enter upon the duties of their  
9 offices, shall take the following Oath or Affirmation:

10 "I, \_\_\_\_\_, do solemnly swear (or affirm), that I  
11 will faithfully execute the duties of the office of  
12 \_\_\_\_\_ of the State of Texas, and will to the best of my  
13 ability preserve, protect, and defend the Constitution and laws of  
14 the United States and of this State, so help me God."

15 (b) Each member of the Legislature and all other elected  
16 officers, before taking the Oath or Affirmation of office  
17 prescribed by this section and entering upon the duties of office,  
18 shall subscribe to the following statement:

19 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I have  
20 not directly or indirectly paid, offered, promised to pay,  
21 contributed, or promised to contribute any money or thing of value,  
22 or promised any public office or employment for the giving or  
23 withholding of a vote at the election at which I was elected so  
24 help me God."

1           ["I,-----, do solemnly swear (or affirm), that I  
2 will---faithfully---execute---the---duties---of---the---office---of  
3 -----of the State of Texas, and will to the best of my  
4 ability preserve, protect, and defend the Constitution and laws of  
5 the--United--States--and--of this State, and I furthermore solemnly  
6 swear (or affirm), that I have not directly--nor--indirectly--paid,  
7 offered,---or---promised--to--pay,---contributed,---nor--promised--to  
8 contribute any money, or valuable thing,---or--promised--any--public  
9 office--or--employment, as a reward for the giving or withholding a  
10 vote at the election at which I was elected. --So help me God." ]

11           (c) The Secretary of State, and all other appointed  
12 officers, before entering [they--enter] upon the duties of their  
13 offices, shall take the following Oath or Affirmation:

14           "I, \_\_\_\_\_, do solemnly swear (or affirm), that I will  
15 faithfully execute the duties of the office of \_\_\_\_\_ of the  
16 State of Texas, and will to the best of my ability preserve,  
17 protect, and defend the Constitution and laws of the United States  
18 and of this State, so[---and--I--furthermore--solemnly--swear--(or  
19 affirm),---that-I-have-not-directly-nor-indirectly-paid, offered, or  
20 promised to pay, contributed, nor promised to contribute any money,  
21 or valuable thing, or promised any public office or employment,--as  
22 a reward to secure my appointment or the confirmation thereof. --So]  
23 help me God."

24           (d) The Secretary of State, and all other appointed  
25 officers, before taking the Oath or Affirmation of office  
26 prescribed by this section and entering upon the duties of office,  
27 shall subscribe to the following statement:

1       "I, \_\_\_\_\_, do solemnly swear (or affirm) that I  
2 have not directly or indirectly paid, offered, or promised to pay,  
3 contributed, or promised to contribute any money, or valuable  
4 thing, or promised any public office or employment, as a reward to  
5 secure my appointment or confirmation thereof, so help me God."

6       (e) Members of the Legislature and all other elected  
7 officers shall file the signed statement required by Subsection (b)  
8 of this section with the Secretary of State before taking the Oath  
9 or Affirmation of office prescribed by Subsection (a) of this  
10 section.

11       (f) The Secretary of State and all other appointed officers  
12 shall file the signed statement required by Subsection (d) of this  
13 section with the Secretary of State before taking the Oath or  
14 Affirmation of office prescribed by Subsection (c) of this section.

15       SECTION 2. This proposed constitutional amendment shall be  
16 submitted to the voters at an election to be held November 7, 1989.  
17 The ballot shall be printed to provide for voting for or against  
18 the proposition: "The constitutional amendment to require that a  
19 member of the legislature, the secretary of state, and an elected  
20 or appointed officer, before assuming office, sign a written oath  
21 stating that the member, the secretary of state, or the officer did  
22 not engage in bribery to obtain the office."

H.J.R. No. 40

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President of the Senate

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Speaker of the House

I certify that H.J.R. No. 40 was passed by the House on May 10, 1989, by the following vote: Yeas 110, Nays 30; that the House refused to concur in Senate amendments to H.J.R. No. 40 on May 23, 1989, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.J.R. No. 40 on May 27, 1989, by the following vote: Yeas 139, Nays 2, 1 present, not voting.

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Chief Clerk of the House

H.J.R. No. 40

I certify that H.J.R. No. 40 was passed by the Senate, with amendments, on May 20, 1989, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.J.R. No. 40 on May 28, 1989, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

RECEIVED: \_\_\_\_\_

Date

---

Secretary of State

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.J.R. No. 40<sup>(1)</sup> was passed by the House  
on May 10<sup>(2)</sup>, 1989, by the following vote:

Yeas 110<sup>(3)</sup>, Nays 30<sup>(4)</sup>;

that the House refused to concur in Senate amendments to H.J.R. No. 40  
on May 23<sup>(5)</sup>, 1989, ~~by the following vote:~~

~~Yeas~~<sup>(6)</sup> ~~Nays~~<sup>(7)</sup> ~~a non-record vote~~

and requested the appointment of a conference committee to consider the  
differences between the two houses; and that the House adopted  
the conference committee report on H.J.R. No. 40 on

May 27<sup>(8)</sup>, 1989, by the following vote:

Yeas 139<sup>(9)</sup>, Nays 2<sup>(10)</sup>, 1 present, not voting

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: 'A;CT50;

I certify that H.J.R. No. 40<sup>(1)</sup> was passed by the Senate,  
with amendments, on May 20<sup>(2)</sup>, 1989, by the  
following vote: Yeas 30<sup>(3)</sup>, Nays 1<sup>(4)</sup>

\_\_\_\_\_; at the request of the House, the Senate  
appointed a conference committee to consider the differences between  
the two houses; and that the Senate adopted the conference committee  
report on H.J.R. No. 40 on May 28<sup>(5)</sup>, 1989,  
by the following vote:

Yeas 30<sup>(6)</sup>, Nays 0<sup>(7)</sup>

\_\_\_\_\_  
Secretary of the Senate

RECEIVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of State

\*\*\*\* Preparation: 'A;CT51;



\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 24<sup>(1)</sup> was passed by the House

on May 10<sup>(2)</sup>, 1989, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 24<sup>(1)</sup> was passed by the Senate

on May 28<sup>(3)</sup>, 1989, by a viva-voce vote.

\_\_\_\_\_  
Secretary of the Senate

APPROVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\*\*\*\* Preparation: 'A;CT26;

J. R. No. 40

By *John Oakley*

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to the oath of office prescribed for members of the legislature.

JAN 23 1989 1. Filed with the Chief Clerk.

FEB 7 1989 2. Read first time and referred to Committee on

State Affairs

APR 13 1989

3. Reported favorably ~~(as amended)~~ ~~(as substituted)~~ and sent to Printer at 7:30 pm  
APR 18 1989

APR 19 1989

4. Printed and distributed at 6:06 pm

APR 21 1989

5. Sent to Committee on Calendars at 10:28 am

MAY 10 1989

6. Read second time ~~(amended)~~ and (finally) passed ~~to Third Reading~~ by a Record Vote of 110 yeas, 30 nays, 0 present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

MAY 10 1989

11. Ordered Engrossed at 4:37 pm

MAY 11 1989

12. Engrossed.

MAY 11 1989

13. Returned to Chief Clerk at 2:29 am

MAY 11 1989

14. Sent to the Senate.

*Betty Messing*

Chief Clerk of the House

MAY 11 1989

15. Received from the House

MAY 12 1989

16. Read, referred to Committee on STATE AFFAIRS

MAY 18 1989

17. Reported favorably as amended

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

MAY 20 1989

20. Regular order of business suspended by unanimous  
(a viva voce vote.) Consent  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

MAY 20 1989

22. Read second time amended passed to third reading by:  
(a viva voce vote.)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

89 MAY 20 PM 6:20

HOUSE OF REPRESENTATIVES

23. Caption ordered amended to conform to body of bill.

MAY 20 1989  
24. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas,  
1 nays to place bill on third reading and final passage.

MAY 20 1989  
25. Read third time and passed by  
(~~a viva voce vote.~~)  
(30 yeas, 1 nays.)

OTHER ACTION:

OTHER ACTION:

*Betty King*

Secretary of the Senate

May 20, 1989  
26. Returned to the House.

MAY 20 1989  
27. Received from the Senate (with amendments.)  
(~~no substituted.~~)

MAY 23 1989  
28. House (~~Concurred~~) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(~~Substitute~~) Vote) (Record Vote of 139 yeas, 2 nays, and 1 present, not voting).

MAY 23 1989  
29. Conference Committee Ordered.

MAY 27 1989  
30. Conference Committee Report Adopted (~~Rejected~~) by a (~~Non-Record Vote~~) (Record  
Vote of 139 yeas, 2 nays, and 1 present, not voting).

MAY 28 1989  
31. Ordered Enrolled at 2:18 pm

50-10-100-100-100

04